

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SHULAMITH SCHOOL FOR GIRLS,

Plaintiff,

against

MARYELLEN ELIA, COMMISSIONER OF
EDUCATION, and THE STATE OF NEW
YORK,

Defendants.

1:19 CV 03152 ()

**DECLARATION OF NOTIFICATION
TO DEFENDANTS AND**

[REDACTED]

Philip H. Kalban, an attorney duly practice before the courts of the State of New York and this Court, hereby declares under penalty of perjury as follows:

1. I am a member of the firm of Putney, Twombly, Hall & Hirson LLP, attorneys for Plaintiff.

2. On Friday, May 24, 2019, I attempted to advise Ms. Tina Urbaitis, Appeals Coordinator in the Office of Counsel of the Commissioner Education, that I would be going to court in the Eastern District of New York in the afternoon of May 28, 2019, to seek a temporary restraining order.

3. I could not reach Ms. Urbaitis, and I tried other numbers in the office until I reached someone who directed me to a woman named Kirti at (518) 473-2183.

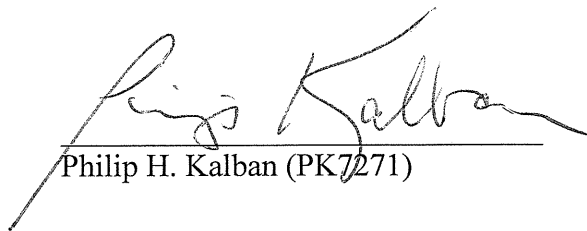
4. I reached Kirti and, among other things, advised her we would be going to the Eastern District of New York on the afternoon of May 28, to seek a temporary restraining order.

5. At approximately 2:15 p.m. on May 28, 2019, I telephoned the Office of Counsel and spoke with Josh Dingman, an Appeals Coordinator, and informed him that we would be

seeking a temporary restraining order in the Eastern District this afternoon. Mr. Dingman requested that we send them a copy of whatever is signed, which I agreed to do.

6. At approximately 2:25 p.m. on May 28, 2019, I attempted to telephone Lindsie B. Alterkun, Esq., attorney for the petitioners before the Commissioner, and was advised that she was out for the day. I was referred to Patti Morgan, a clerk, and informed her that we would be seeking a temporary restraining order in the Eastern District this afternoon. Ms. Morgan called me back and told me she spoke with her senior partner, Mr. Nicholas, who requested that we send them a courtesy copy of our papers, which we will do.

Dated: New York, New York
May 28, 2019



Philip H. Kalban (PK7271)

